

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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BRANDON L. FELTON,

Plaintiff,

v.

Case No. 21-C-854

WILLIAM MARTIN SAVAGIAN, et al.,

Defendants.

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**DECISION AND ORDER**

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Plaintiff Brandon Felton is representing himself in this 42 U.S.C. §1983 action. The Court recently stayed this action pending resolution of Felton's criminal case for reasons explained in its December 8, 2021 decision. Dkt. Nos. 22, 24. On December 20, 2021, Felton filed a motion to deny the stay, which the Court will construe as a motion for reconsideration. Dkt. No. 27. Felton asserts that the Court erred when it relied on *Heck v. Humphrey*, 512 U.S. 477 (1994), as the basis for staying the action. Felton misunderstands the Court's order. The Court explained that a stay of Felton's civil case is "necessary both to prevent misuse of the civil proceedings to circumvent discovery limitations in criminal proceedings and avoid potential inconsistent rulings." Dkt. No. 22 at 2-3 (citing *Rankins v. Winzeler*, No. 02 C 50507, 2003 WL 21058536, at \*6 (N.D. Ill. May 9, 2003)). The Court will deny Felton's motion.

Felton also filed a motion for substitution of the Judge. Dkt. No. 28. This case has been closed for administrative purposes, Dkt. No. 24, so the Court will deny his motion. In any event, Felton's motion is without merit. He asserts that I am biased against him, but the only so-called evidence of bias he identifies is my decision to stay this action. As the Supreme Court has made

clear, “judicial rulings alone almost never constitute a valid basis for a bias or partiality motion.” *Liteky v. United States*, 510 U.S. 540, 555 (1994).

**IT IS THEREFORE ORDERED** that Felton’s motion to deny stay (Dkt. No. 27) and his motion for substitution of Judge (Dkt. No. 28) are **DENIED**.

Dated at Green Bay, Wisconsin this 22nd day of December, 2021.

s/ William C. Griesbach  
William C. Griesbach  
United States District Judge